

Panaji, 10th July, 1975 (Asadha 19, 1897)

SERIES I No. 15

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN
AND DIU

Home Department (Transport and Accommodation)

Notification

HD(TA-Tpt)/5-23/74

The following draft amendment which is proposed to be made to the Goa, Daman and Diu Motor Vehicles Rules, 1965 is hereby pre-published as required by sub-section (1) of section 133 of the Motor Vehicles Act, 1939 (4 of 1939) for information of the persons likely to be affected thereby and notice is hereby given that the said draft amendment will be taken into consideration by the Government on the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the draft amendment may be forwarded to the Under Secretary to the Government of Goa, Daman and Diu, Home Department, Secretariat, Panaji, before the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

DRAFT AMENDMENT

In exercise of the powers conferred by clause (a) of sub-section (2) of section 70 of the Motor Vehicles Act, 1939 (4 of 1939) as applicable to the Union territory of Goa, Daman and Diu and all other powers enabling him in that behalf, the Administrator of Goa, Daman and Diu hereby makes the following rules so as to further amend the Goa, Daman and Diu Motor Vehicles Rules, 1965, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Goa, Daman and Diu Motor Vehicles (Twenty Ninth Amendment) Rules, 1975.

(2) They shall come into force at once.

2. *Amendment of rule 5.21.*—In sub-rule (2) of rule 5.21 of the Goa, Daman and Diu Motor Vehicles Rules, 1965—

- (i) for the words "fifty per cent", the words "sixty per cent" shall be substituted; and
- (ii) for the words "verticle", the word "vertical" shall be substituted.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. M. Sardesai, Under Secretary (Home).

Panaji, 2nd July, 1975.

Law and Judiciary Department

Notification

LD/2222/75

The following notifications received from the Government of India, Ministry of Labour New Delhi, are hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 30th June, 1975.

GOVERNMENT OF INDIA
(BHARAT SARKAR)

MINISTRY OF LABOUR
SHRAM MANTRALAYA

Dated New Delhi, the 31st May, 1975

Notification

S. O.—In exercise of the powers conferred by clause (a) of sub-section (3) of section 17 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952) and in continuation of the notification of the Government of India in the Ministry of Labour No. S. O. 190(E) dated the 29th April, 1975 the Central Government hereby directs that every employer in relation to an establishment exempted under clause (a) or clause (b) of sub-section (1) of section 17 of the said Act or in relation to an employee or a class of employees exempted under paragraph 27, or as the case may be, paragraph 27A of the Employees' Provident Fund Scheme, 1952, shall transfer the monthly provident fund contributions within fifteen days of the close of the month to the Board of Trustees, duly constituted in respect of that establishment, and that the said Board of Trustees shall invest every month, within a period of two weeks from the date of receipt of the said amounts from the employer, the provident fund accumulations that is to say, the contributions, interest and sundry receipts as reduced by any obligatory outgoings, in accordance with the following pattern, namely:—

i) Central Government securities ...	45%
ii) State Government securities and State or Central Government guaranteed securities ...	25%
iii) Post Office Time Deposits and Small Savings ...	30%

The above pattern will be in force for the period from 1st June, 1975 to 30th June, 1975.

2. All re-investment of provident fund accumulations (whether invested in securities created and issued by the Central Government or in savings certificates issued by the Central Government or in securities created and issued by a State Government) shall be made according to the pattern mentioned in paragraph 1 above.

3. The Board of Trustees shall formulate proper procedure for prompt investment or re-investment of accumulations in accordance with the aforesaid directives and shall have it approved by the Regional Provident Fund Commissioner concerned.

[G. 27035(3)/74-PF.I(i)]

Sd/-

PARSAN CHANDRA

Under Secretary.

Dated New Delhi, the 31st May, 1975

Notification

S. O. — In exercise of the powers conferred by sub-paragraph (1) of paragraph 52 of the Employees' Provident Funds Scheme and in continuation of the notification of the Government of India in the Ministry of Labour No. S. O. 191(E) dated the 29th April, 1975, the Central Government hereby directs that accumulations out of the provident fund contributions, interest and other receipts as reduced by obligatory outgoings, shall be invested in accordance with the following pattern, namely:—

- | | |
|---|-----|
| i) Central Government securities ... | 45% |
| ii) State Government securities and State or Central Government guaranteed securities ... | 25% |
| iii) Post Office Time Deposits and Small Savings ... | 30% |

The above pattern will be in force for the period from 1st June, 1975 to 30th June, 1975.

2. All re-investment of provident fund accumulations (whether invested in securities created and issued by the Central Government or in savings certificates issued by the Central Government or in securities created and issued by a State Government) shall also be made according to the pattern mentioned in paragraph 1 above.

[G. 27035(3)/74-PF.I(ii)]

Sd/-

PARSAN CHANDRA

Under Secretary.

Dated New Delhi, the 6th June, 1975

Notification

S. O. — Whereas, the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes

Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S. O. 3463 dated the 17th December, 1974 the Banking industry carried on by a banking company as defined in clause (bb) of section 2 of the said Act to be a public utility service for the purposes of the said Act, for a period of six months from the 29th December, 1974.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a further period of six months from the 29th June, 1975.

(F. No. S-11025/15/75-DKIA)

R. P. NARULA

Under Secretary

Dated New Delhi-110001, the 9th June, 1975

Notification

G. S. R. — In exercise of the powers conferred by clause (b) of sub-section (3) of section 1 of the Employees' Provident Funds and Family Pension Fund Act, (19 of 1952), the Central Government hereby specifies all Soap Stone Mines, and Establishments engaged in the grinding of soapstone, employing 20 or more persons as a class of establishments to which the said Act shall apply with effect from 30th June, 1975.

[No. 4/2/68-PF.II(i)]

Sd/-

PARSAN CHANDRA

Under Secretary.

Notification

LD/SR/764/75

The following Central Bill which was recently passed by the Parliament and assented to by the President of India is hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 1st July, 1975.

The Air Force and Army Laws (Amendment) Act, 1975

*[29th March, 1975]

AN

ACT

further to amend the Air Force Act, 1950 and the Army Act, 1950.

Be it enacted by Parliament in the Twenty-sixth Year of the Republic of India as follows:

1. Short title. — This Act may be called the Air Force and Army Laws (Amendment) Act, 1975.

2. Amendment of Act 45 of 1950.—In the Air Force Act, 1950,—

(a) in section 4,—

(i) in clause (xvii), the words, "other than the State of Jammu and Kashmir" shall be omitted;

(ii) in clause (xxx), for the words "all words", the words and brackets 'all words (except the word "India")' shall be substituted;

(b) the Explanation below section 72 shall be omitted.

3. Amendment of Act 46 of 1950.—In the Army Act, 1950,—

(a) in section 3,—

(i) in clause (viii), the words "other than the State of Jammu and Kashmir" shall be omitted;

(ii) in clause (xxv), for the words "all words", the words and brackets 'all words (except the word "India")' shall be substituted;

(b) the Explanation below section 70 shall be omitted.

4. (1) The Air Force and Army Laws (Amendment) Ordinance, 1975 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Air Force Act, 1950 or the Army Act, 1950, as amended by the said Ordinance shall be deemed to have been done or taken under the Air Force Act, 1950 or, as the case may be, the Army Act, 1950, as amended by this Act, as if this Act had come into force on the 25th day of January, 1975.

*[The Bill was assented to by the President on 29th March, 1975 and published in an extraordinary issue of Gazette of India, Part-II, Section 1 dated 29-3-1975].

Notification

LD/2152/75

The following notification received from the Government of India, Ministry of Labour, New Delhi, is hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 2nd July, 1975.

GOVERNMENT OF INDIA

MINISTRY OF LABOUR

New Delhi, 10 June, 1975

Notification

G.S.R.—In exercise of the powers conferred by sub-section (1) of section 37 of the Apprentices Act, 1961 (52 of 1961) and after consulting the Central Apprenticeship Council, the Central Government hereby makes the following rules further to amend the Apprenticeship Rules, 1962 namely:—

1. (1) These rules may be called the Apprenticeship (Third Amendment) Rules, 1975.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Apprenticeship Rules, 1962,

(a) in sub-rule (1) of rule 5 in the Table under Group No. 1 relating to Machine-shop trades group,

(i) for item, number 3 and the entries relating thereto the following item number and entries should be substituted, namely:—

"3. Machinist 751.30, 751.20 Three years,"
751.22, 751.26

(ii) Item No. 5 and the entries relating thereto shall be omitted.

(b) In Schedule I,—

(i) for serial number 4 and 5 and the entries relating thereto in column 1, under the heading 'Designated Trade', the following serial number and entry shall be substituted:—

"4. Machinist",

(ii) existing serial numbers 6 to 14 shall be re-numbered as serial numbers 5 to 13,

(iii) in the entry in column 2 against serial numbers 2 to 13, as so re-numbered, for the words "studied upto" the words "studied upto and passed" shall be substituted.

No. DGET-2/1/75-AP

Sd/-

G. JAGANNATHAN

Deputy Secretary to the Govt. of India.

Notification

LD/2202/75

The following notification received from the Government of India, Ministry of Law, Justice & Company Affairs New Delhi, is hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 4th July, 1975.

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

Notification

New Delhi, the 26th May, 1975

S. O. 229(E) — In exercise of the powers conferred by section 169 of the Representation of the People Act, 1951 (43 of 1951), the Central Government, after consulting the Election Commission, hereby makes the following rules further to amend the Conduct of Elections Rules, 1961, namely:—

1. Short title and application.—(1) These rules may be called the Conduct of Elections (Second Amendment) Rules, 1975.

(2) They shall apply in relation to all elections whether called before or after the date of publication of these rules in the Official Gazette.

2. Amendment of rule 45. — In rule 45 of the Conduct of Elections Rules, 1961, for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(2) The presiding officer shall furnish to every polling agent present at the close of the poll a true copy of the entries made in the ballot paper account after obtaining a receipt from the said polling agent, therefor and shall also attest it as a true copy”.

[No. F.7(14)/75-Leg. II]

K. K. SUNDARAM, Secy.

Notification

LD/2380/75

The following Ordinance which was recently promulgated by the President of India is hereby published for general information of public.

M. S. Borkar, Under Secretary (Law).

Panaji, 8th July, 1975.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 30th June, 1975

Asadha 9, 1897 (Saka)

THE DEFENCE OF INDIA (AMENDMENT) ORDINANCE, 1975

No. 5 of 1975.

Promulgated by the President in the Twenty-sixth Year of the Republic of India.

An Ordinance to amend the Defence of India Act, 1971.

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Defence of India (Amendment) Ordinance, 1975.

(2) The amendments made to the Defence of India Act, 1975 (hereinafter referred to as the principal Act), by the provisions of this Ordinance shall remain in force during the period of operation of the Proclamation of Emergency issued under clause (1) of article 352 of the Constitution on the 25th day of June, 1975, and for a period of six months thereafter, but their expiry under the operation of this section shall not affect—

(a) the previous operation of, or anything duly done or suffered under, the principal Act as amend-

ed by this Ordinance or any rule made thereunder of any order made under such rule, or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the principal Act as amended by this Ordinance or any rule made thereunder or any order made under any such rule, or

(c) any penalty, forfeiture or punishment incurred in respect of any offence under the principal Act as amended by this Ordinance or any contravention of any rule made thereunder or of any order made under any such rule, or

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the said amendments had not expired.

2. In the long title to the principal Act, after the words “civil defence”, the words “and internal security” shall be inserted.

3. In the preamble to the principal Act, —

(a) in the first paragraph, —

(i) for the word “Proclamation”, the word “Proclamations” shall be substituted;

(ii) after the words “by external aggression”, the words “and by internal disturbance” shall be inserted;

(b) in the second paragraph, after the words “and civil defence”, the words “and internal security” shall be inserted.

4. In section 1 of the principal Act, —

(a) in sub-section (1) for the words “the Defence of India”, the words “the Defence and Internal Security of India” shall be substituted:

(b) in sub-section (3), for the words “shall remain in force during the period of operation of the Proclamation of Emergency”, the following shall be substituted, namely:—

“shall, subject to the provisions of the Defence of India (Amendment) Ordinance, 1975, remain in force during the period of operation of the Proclamation of Emergency issued on the 3rd day of December, 1971”.

5. In section 2 of the principal Act, in clause (g), after the words, figures and letter “the 3rd day of December, 1971”, the words, figures and letters “or the Proclamation issued under that clause on the 25th day of June, 1975” shall be inserted.

6. In section 3 of the principal Act, —

(a) in sub-section (1), after the words “civil defence,” the words “the internal security,” shall be inserted;

(b) in sub-section (2), —

(i) in clause (4), —

(A) in the opening paragraph, for the words “or civil defence”, the words “civil defence or internal security” shall be substituted;

(B) in sub-clause (e), after the words "civil defence", the words "internal security," shall be inserted.

(ii) in sub-clause (a) of clause (7), sub-clause (j) of clause (10) and clause (32), after the words "civil defence," the words "the internal security," shall be inserted;

(iii) in clause (9), after the words "any scheme of defence", the words "or any scheme for the prevention of internal disturbance" shall be inserted;

(iv) in clause (21), (25) and (27), after the words "civil defence", the words "or for internal security" shall be inserted;

(v) in clause (46), after the words "civil defence", the words "or the internal security" shall be inserted;

(vi) in clause (46), after the words "civil defence or", the words "to the internal security or" shall be inserted;

(c) in sub-section (3), in clause (viii), after the words "civil defence", the words "or the internal security" shall be inserted.

7. In section 6 of the principal Act, in sub-clause (a) of clause (1), and in sub-clause (a) and (d) of clause (6), for the words "Defence of India Act", the words "Defence and Internal Security of India Act" shall be substituted.

8. In sub-section (1) of section 16 of the principal Act, after the words "civil defence," the words "the internal security," shall be inserted.

9. In sub-section (1) of section 23 of the principal Act, after the words "civil defence," the words "internal security," shall be inserted.

10. In section 38 of the principal Act, for the words "and the defence of India and civil defence", the words "the defence of India and Civil defence and the internal security" shall be substituted.

FAKHRUDDIN ALI AHMED,
President.

K. K. SUNDARAM,
Secy. to the Govt. of India.

Notification

LD/967/75

The following Ordinance which was promulgated by the Administrator on 28th June, 1975 is hereby published for general information of public.

M. S. Borkar, Under Secretary (Law).

Panaji, 9th July, 1975.

THE GOA, DAMAN AND DIU EXCISE DUTY (VALIDATION OF APPOINTMENTS AND PROCEEDINGS) ORDINANCE, 1975

(No. 1 of 1975)

Promulgated by the Administrator in the Twenty-sixth year of the Republic of India.

An Ordinance to validate appointments of certain officers under the Goa, Daman and Diu Excise Duty Act, 1964, and to validate proceedings taken by such officers under that Act.

Whereas the Legislature of the Union territory of Goa, Daman and Diu is not in session and the Administrator is satisfied that circumstances exist which render it necessary for him to take immediate action;

And Whereas the instructions of the President have been obtained in pursuance of the first proviso to clause (1) of article 239B of the Constitution;

Now, therefore, in exercise of the powers conferred by clause (1) of article 239B of the Constitution, the Administrator is pleased to promulgate the following Ordinance:—

1. **Short title and commencement.**— (1) This Ordinance may be called the Goa, Daman and Diu Excise Duty (Validation of Appointments and Proceedings) Ordinance, 1975.

(2) It shall come into force at once.

2. **Definitions.**— In this Ordinance,—

(1) "Administrator" means the administrator of the Union territory of Goa, Daman and Diu appointed by the President under article 239 of the Constitution;

(2) "appointment" means appointment as—

- (a) Commissioner of Excise; or
- (b) Assistant Commissioner of Excise; or
- (c) Superintendent of Excise; or
- (d) Excise Officer; or
- (e) Excise Inspector; or
- (f) Sub-Inspector of Excise; or
- (g) Excise Guard.

3. **Validation of certain appointments, levy of excise duty, etc.**— Notwithstanding anything contained in any judgement, decree or order of any court, tribunal or other authority,—

(a) no appointment of any person made or purporting to have been made under or for the purposes of the Goa, Daman and Diu Excise Duty Act, 1964 (hereinafter referred to as the principal Act), before the commencement of this Ordinance shall be deemed to be illegal or invalid or ever to have been illegal or invalid merely on the ground that such appointment was not made in accordance with the provisions of section 3 of the principal Act or on the ground that such appointment was not made under that section or on both those grounds; and

(b) no levy or collection of any duty, tax or fee made or purporting to have been made under the principal Act before the commencement of this Ordinance, and no jurisdiction exercised, no order made, and no other act or proceeding or thing done or taken by, or before, a person referred to in clause (a) in relation to such levy or collection shall be deemed to be illegal or invalid, or ever to

5 of 1964

have been illegal or invalid merely on the ground that such jurisdiction was exercised or such order had been made or such other act or proceedings or thing had been done or taken by, or before, a person whose appointment was not made in accordance with or under the provisions of section 3 of the principal Act, and accordingly —

(i) all appointments made or purporting to have been made under or for the purposes of the principal Act before the commencement of this Ordinance shall, for all purposes, be deemed to be, and to have been, made in accordance with law;

(ii) the jurisdiction exercised, orders made and all other acts, proceedings or things done or taken by the Government of Goa, Daman and Diu or by the Administrator or by a person whose appointment had been made as aforesaid, or by any other officer of that Government or by any tribunal or other authority in connection

with the said appointments or in connection with the levy or collection of duty tax or fee under the principal Act, shall for all purposes be deemed to be and to have been exercised, made, done or taken in accordance with law; and

(iii) no suit or other proceedings shall be maintained or continued in any court or before any tribunal or other authority whatsoever on the ground that any such appointment was illegal or invalid or any such jurisdiction, order or other act, proceeding or thing was not exercised, made, done or taken in accordance with law.

S. K. BANERJI

Administrator, Goa, Daman and Diu.

Panaji — Goa

Dated, 28th June, 1975.

Office of the Chief Electoral Officer

Notification

3-2-75/Elec.

The following Notification No. 56/75-VII dated 23.6.75 issued by the Election Commission of India, New Delhi, is hereby published for general information.

B. M. Masurkar, Chief Electoral Officer.

Panaji, 4th July, 1975.

Election Commission of India

New Delhi-110001, dated 23rd June, 1975
Asadha 2, 1897 (Saka)

Notification

S. O. — Whereas the Manipur Hills Union, a recognised State Party in the State of Manipur, has informed that the name of the said party has been changed as Manipur Hills-Plain Union and the Election Commission is satisfied on the basis of the re-

cords made available to it that the said change should be accepted;

Now, therefore, in pursuance of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendment in its Notification No. 56/75-I, dated 31st January, 1975 published as S. O. No. 61 (E) in the Gazette of India, Extraordinary, Part II, Section 3 (ii), dated 31st January, 1975 and as subsequently amended from time to time, namely: —

In Table 2

Under column 2 'Name of the State Party' against Manipur for entry "2. Maninur Hills Union", the entry "2. Manipur Hills-Plain Union" shall be substituted.

(No. 56/75-VII)

By Order,

Sd/-

(A. N. SEN)

Secretary

The Election Commission of India.